

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

RANDALL K. SUTTON,
SHARON NEKOL PROVINCE,
JAMES DOUGLAS CASSITY,
a/k/a DOUG CASSITY,
BRENT DOUGLAS CASSITY,
HOWARD A WITTNER, and
DAVID R. WULF,

Defendants.

Case No. S2-4:09CR509 JCH

FINAL ORDER OF FORFEITURE

WHEREAS, on November 14, 2013, this Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Rule 32.2 of the Federal Rules of Criminal Procedure that included the forfeiture of certain specified assets and the entry of a money judgment as set forth in the Preliminary Order of Forfeiture;

AND WHEREAS, in accordance with Federal Rule of Criminal Procedure 32.2(b)(6) and Title 21, United States Code, Section 853(n)(1), notice of the Preliminary Order of Forfeiture was posted on an official internet government forfeiture site (www.forfeiture.gov) for at least 30 consecutive days, beginning on December 17, 2013, and ending on January 15, 2014, and further notified all third parties of the right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the property, and, to the extent practicable,

direct notice was sent to any person who reasonably appeared to be a potential claimant with standing to contest the forfeiture;

AND WHEREAS the Court has been advised that no third-party petitions have been filed claiming an interest in the property sought to be forfeited other than the petition of Rhonda Cassity, which petition this Court ordered withdrawn on March 6, 2014 on Ms. Cassity's motion;

ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

1. That the following property is hereby condemned and forfeited as to all parties, and full right, title, and interest is hereby vested in the United States of America to be disposed of according to law:

- a. Approximately \$620,333.33 in funds supporting a Truman Bank cashier's check, No. XXXXXX0679;
- b. All funds and investments in the name of Rhonda L. Cassity, account no. XXXX1581, at Truman Bank, totaling in excess of \$1,109,012.62;
- c. All funds and investments in the name of Howard and Joan Wittner, account no. XXXX5742, at First National Bank of St. Louis, totaling in excess of \$2,004,287.93; and
- d. Funds totaling \$607,199.51 in account no. XXXX0113 at The Edge Bank in Edwardsville, Illinois presently credited to Defendant Howard A. Wittner.

2. That a money judgment is entered against Defendants Sharon Nekol Province, Brent Douglas Cassity, James Douglas Cassity, Randall K. Sutton, and David R. Wulf and in favor of the United States in the sum of \$435,515,234.00, and that those Defendants are directed to pay that amount, with credit to be given for the value of all assets forfeited under this and any subsequent final order of forfeiture in this case.

3. That pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States is hereby authorized to conduct any discovery permitted by the Federal Rules of

Civil Procedure in order to identify, locate, or dispose of any property subject to forfeiture under this order, including depositions, interrogatories, subpoenas, and requests for production.

4. That the instant order shall be without prejudice to the United States' right to seek a final order of forfeiture with respect to other assets identified in this Court's Preliminary Order of Forfeiture once it has completed all required notice procedures, and without prejudice to the United States' right to seek to forfeit further property in satisfaction of the money judgments ordered herein.

5. That the United States District Court shall retain jurisdiction for the purpose of enforcing this Order and permitting amendments hereto as set forth in Federal Rule of Criminal Procedure 32.2.

The Clerk is hereby directed to send copies of this Order to all counsel of record and the United States Marshal.

So ordered this 11th day of March, 2014.


HONORABLE JEAN C. HAMILTON
UNITED STATES DISTRICT JUDGE